

CASE NUMBER: 15SN0645
APPLICANT: Cellco Partnership dba Verizon Wireless



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Board of Supervisors (BOS)

Public Hearing Date:

JULY 22, 2015

BOS Time Remaining:

365 DAYS

Applicant's Agent:

JEFFREY GEIGER

(804-771-9557)

Applicant's Contact:

MELISSA HARRELD

(804-892-0310)

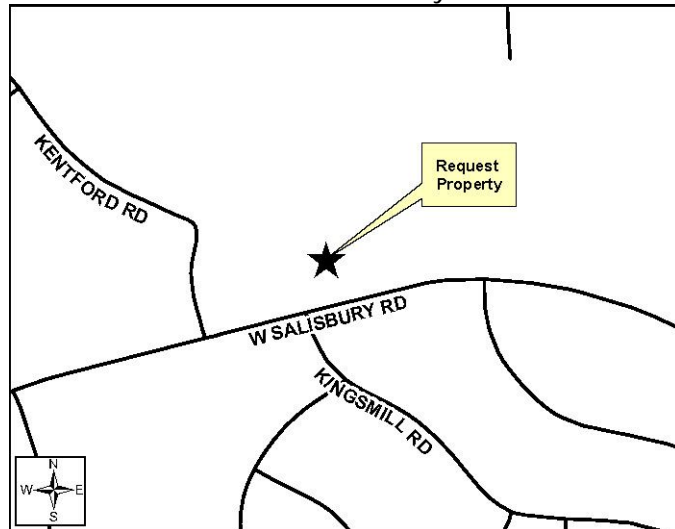
Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **MIDLOTHIAN**

13620 West Salisbury Road



APPLICANT'S REQUEST

Conditional use to permit a communications tower (data node antenna) in a Residential (R-40) District.

An antenna (data node/small cell) mounted on an existing maintenance building within the Salisbury Country Club is planned.

- (NOTES: A. Conditions may be imposed or the property owner may proffer conditions.
 B. Proffered conditions are located in Attachment 1.
 C. Under the Federal Telecommunications Act, localities cannot regulate cell towers on the basis of possible health or environmental effects of radio frequency emissions.)

RECOMMENDATION

PLANNING
COMMISSION
(6/16/2015)

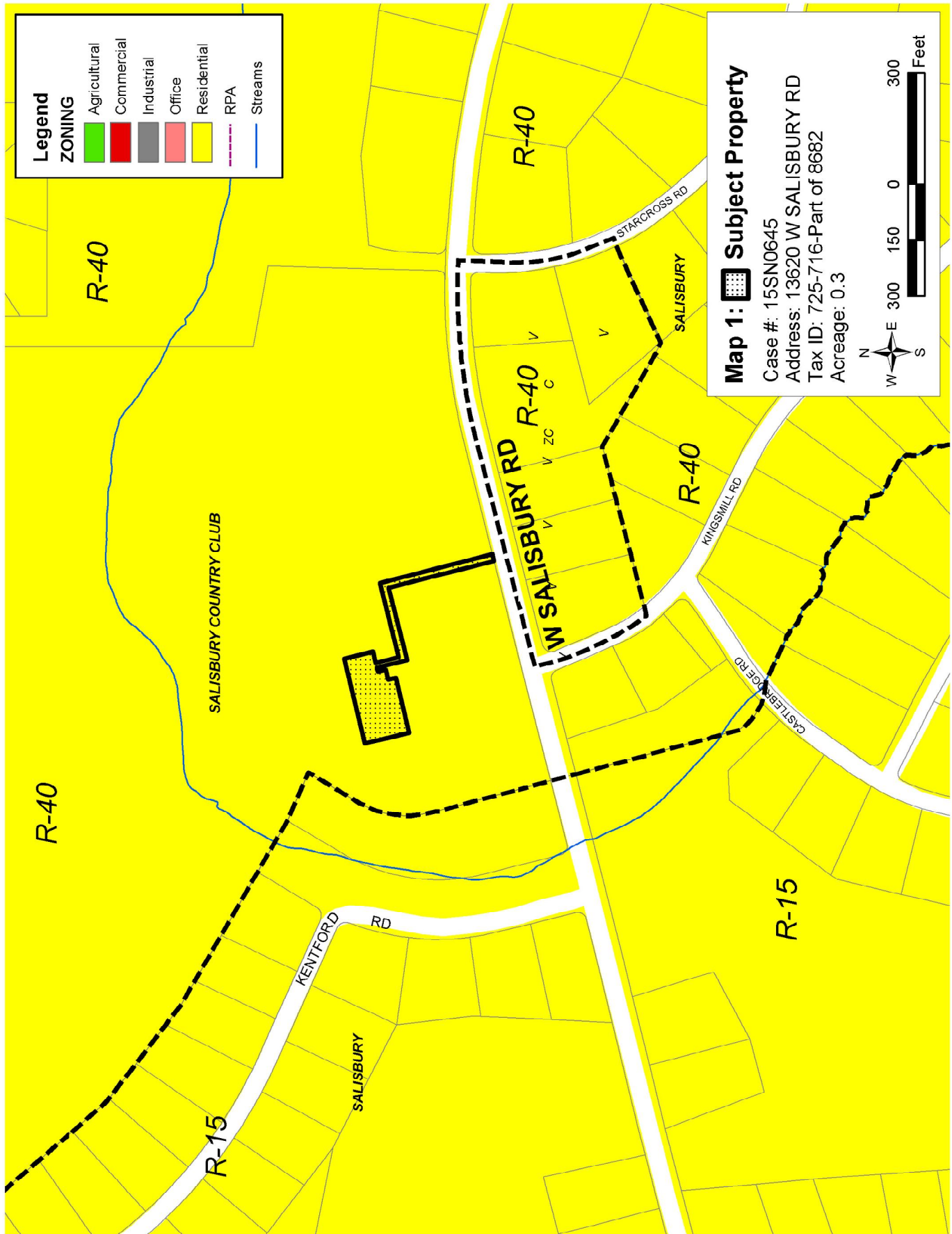
RECOMMEND APPROVAL

STAFF

RECOMMEND APPROVAL

- Complies with Comprehensive Plan
- Consistent with Telecommunications Tower Siting Policy criteria

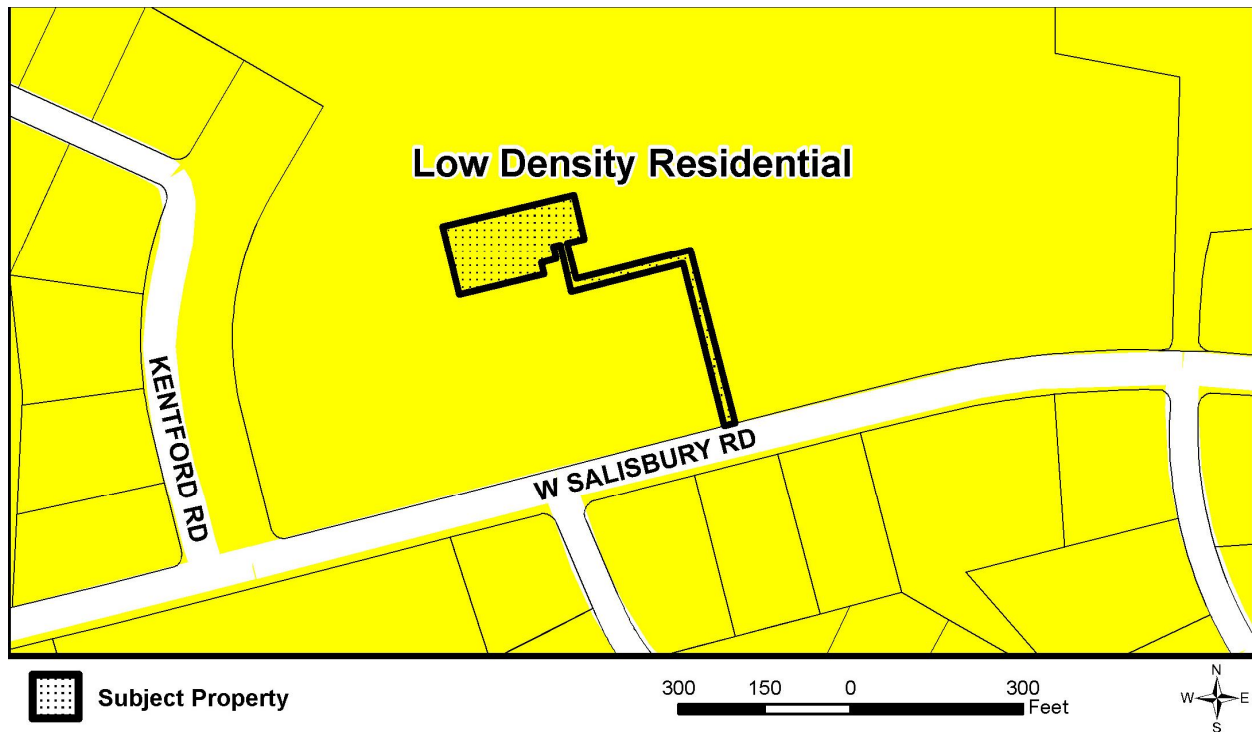
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	-
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



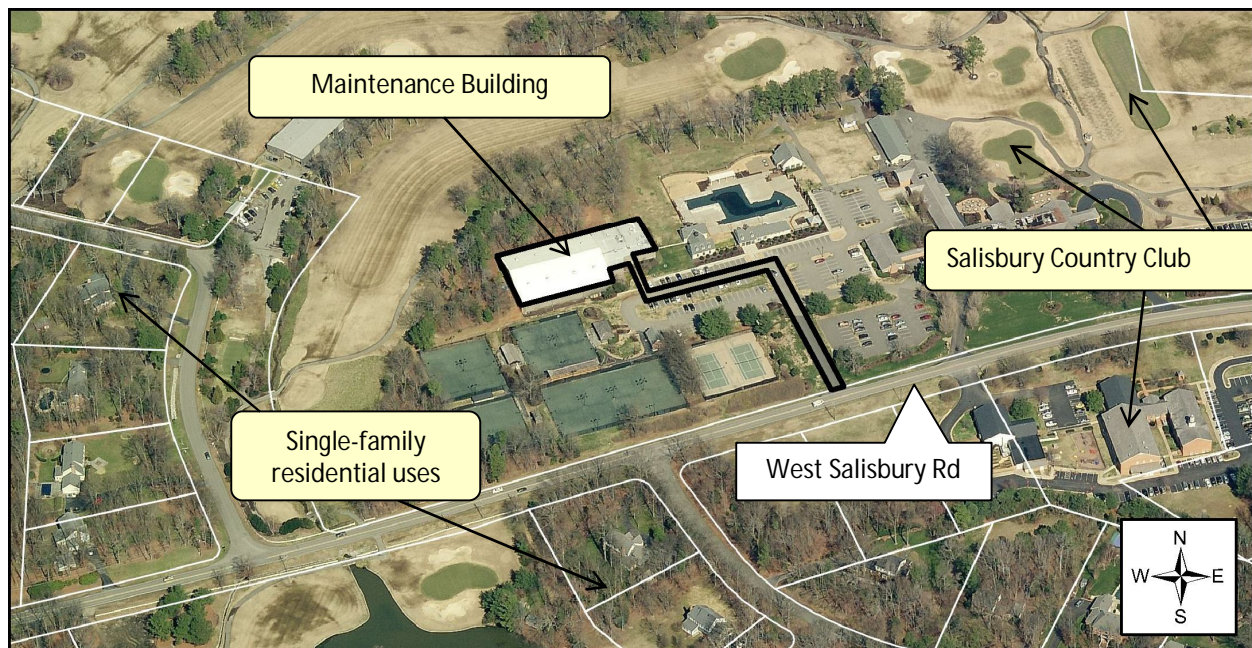
Map 2: Comprehensive Plan

Classification: **LOW DENSITY RESIDENTIAL**

The designation suggests the property is appropriate for low density residential uses (maximum of one (1) dwelling per acre).



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

PROPOSAL

An antennae (data node/small cell) mounted to an existing maintenance building within the Salisbury Country Club is planned.

This proposal consists of a cylindrical antenna, approximately fifteen (15) inches in diameter and two (2) feet in height, top-mounted onto an eleven (11) foot stealth chimney mounted on the side of maintenance building. To minimize visibility, the antenna will be painted to match the exterior of the building. (Proffered Condition 2.b.)

PUBLIC FACILITIES PLAN

The Public Facilities Plan, an element of the Comprehensive Plan, encourages:

- co-location on existing telecommunications towers, or
- architectural incorporation into existing building features

Where co-location or architectural incorporation is not feasible, in areas designated for residential development, the Plan suggests that towers should be located and designed to conceal these facilities to the greatest degree feasible and minimize their visual impact.

TOWER SITING POLICY

The Policy establishes guidelines for design, setbacks and security. Elements of the Policy applicable to the proposal are as follows:

- Prohibits signs, except as required by state or federal guidelines
- Provides for screening of ground mounted equipment
- Requires certification of structural integrity
- Requires removal when communications use ceases for more than twelve (12) consecutive months

PENDING CODE AMENDMENT

Acknowledging small cells/data nodes are fast becoming a part of the telecommunications landscape, and understanding the County has not directly addressed distinguishing between small cells/data nodes and communications towers, the Planning Commission directed staff to draft an Ordinance amendment to address where and under what circumstances these uses might be allowed. The Planning Commission has scheduled a public hearing to consider this amendment for June 16, 2015.

The following provides an overview of proffered conditions to mitigate the impact of the tower on area properties:

General Overview	
Requirements	Details
Signage	<ul style="list-style-type: none"> Not permitted, unless otherwise required by applicable (federal or state) law <i>Proffered Condition 1 Policy</i>
Location, Design, Color and Lighting	<ul style="list-style-type: none"> Located on existing building, as shown on Attachment 2 Designed as shown on Attachment 3 Painted to match existing building Lighting not permitted Limited to 1 antenna <i>Proffered Condition 2 Plan and Ordinance</i>
Screening	<ul style="list-style-type: none"> External mechanical equipment screened per ordinance <i>Proffered Condition 3 Policy</i>
Structural Integrity	<ul style="list-style-type: none"> Provide certification prior to use <i>Proffered Condition 4 Policy</i>
Height	<ul style="list-style-type: none"> Not to exceed 3.5 feet above the peak of the roofline <i>Proffered Condition 5</i>
Removal	<ul style="list-style-type: none"> Required if use ceases for more than 3 consecutive months <i>Proffered Condition 6 Policy</i>

As proffered, the proposed communications tower complies with the Comprehensive Plan and is consistent with the Telecommunications Tower Siting Policy and Ordinance criteria.

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Anthony Batton (804-717-6167) BattenA@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Bon Air Fire Station, Company Number 4
EMS Facility	The Bon Air Fire Station, Company Number 4

This request will have minimal impact on fire and EMS.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	VDOT has no comment on this case. No right-of-way impacts as the communications equipment will be installed on private property.

COUNTY COMMUNICATIONS

Staff Contact: Robert Vest (804-717-6950) vestr@chesterfield.gov

The system installation may be approved when meeting the standard conditions regarding interference to Chesterfield County Radio and Microwave Systems.

COUNTY AIRPORT

Staff Contact: Jeremy Wilkinson (804-768-7700) wilkinsonj@chesterfield.gov

This request will have no impact on the County Airport.

WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	Yes	8"	Yes
Wastewater	Yes	12"	Yes

Additional Information:

The proposed request will not impact the public water and wastewater systems.

ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Environmental Engineering has no comment on this request.

CASE HISTORY	
Applicant Submittals	
4/3/15	Application and proffers submitted
5/29/15	Revised proffers were submitted
Community Meeting	
3/16/15	Issues Discussed <ul style="list-style-type: none"> • Midlothian Planning Commissioner, applicant, agent and staff attended this meeting at the Salisbury Country Club • Location, size and shape of antenna • Coverage provided by the antenna
Planning Commission Meeting	
6/16/15	Citizen Comments No citizens spoke to this case. Commission Discussion The Commission noted their support for this case: <ul style="list-style-type: none"> • Community meeting was conducted • No opposition to request • Request is in accordance with Policy and pending small cell ordinance Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1 Motion: Waller Second: Brown AYES: Gulley, Waller, Brown, Patton and Wallin
The Board of Supervisors on Wednesday, July 22, 2015, beginning at 6:30 p.m., will consider this request.	

PROFFERED CONDITIONS

Note:

"STAFF/CPC" – Recommended by both staff and Planning Commission

The property owner and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owner and applicant. In the event this request is denied or approved with conditions not agreed to by the owner and applicant, the proffer shall immediately be null and void and of no further force or effect.

- (STAFF/CPC) 1. There shall be no signs permitted to identify this use other than those required by applicable law and regulation. (P)
- (STAFF/CPC) 2. The color, design and lighting system for the communications tower (data node antenna) shall be as follows:
- a. The communications tower shall be a small cell/data node structure mounted on the side of an existing building, generally as located on Attachment 2 and designed on Attachment 3.
 - b. The components of the small cell equipment shall be concealed inside a stealth chimney and have a durable finish color that matches the building upon which it is located, as approved by the Planning Department. The finish color of the stealth chimney shall be maintained to address fading, flaking, or other finish issues, as determined by the Planning Department, to include matching any repainting of the building upon which it is mounted.
 - c. The communications tower (data node antenna) shall not be lighted. (P)
 - d. A maximum of one (1) antenna is located on the building. (P)
- (STAFF/CPC) 3. Other than the data node antenna, any external mechanical equipment shall comply with the Zoning Ordinance relative to screening of mechanical equipment in O, C and I Districts. (P)

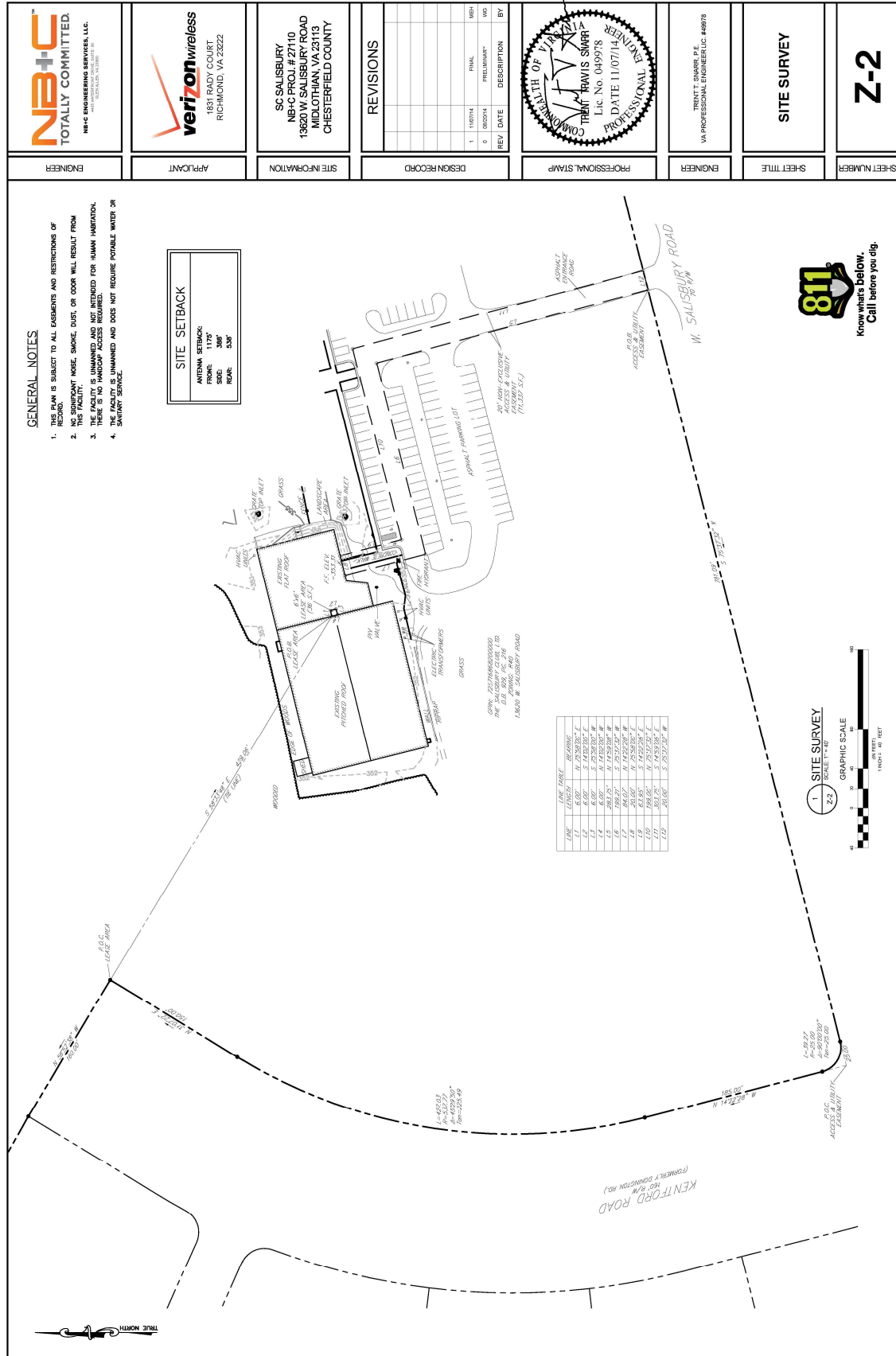
(STAFF NOTE: The Zoning Ordinance requires the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way.)

- (STAFF/CPC) 4. Prior to use of this communications tower (data node antenna), the owner of the communications tower (data node antenna) shall obtain

approval of the structural integrity by a registered professional engineer licensed in Virginia and a copy of the report filed with the Planning Department. (P)

- (STAFF/CPC) 5. The communications tower (data node antenna), located on the side of an existing building, shall not exceed a height of 3.5 feet above the peak of the roof line. (P)
- (STAFF/CPC) 6. At such time that the communications tower (data node antenna) ceases to be used for communications purposes for three (3) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

SITE LAYOUT



15SN0645-2015JUL22-BOS-RPT

PHOTO SIMULATION

